



United States Government

NATIONAL LABOR RELATIONS BOARD
1015 HALF STREET, SE
WASHINGTON, DC 20570

September 19, 2018

Brent W. Yessin
James J. Cusack
One Tampa City Center
201 N. Franklin St., Suite 2880
Tampa, FL 33602

Re: New Concepts for Living, Inc.
Case 22-CA-187407, et al.

Dear Counsels:

This letter acknowledges receipt of Respondent's Motion for Leave to File and Reply Brief Due to Excusable Neglect, filed with the Board on September 12, 2018.

The original due date for the filing of the reply brief was September 4, 2018. On September 7, 2018, Respondent filed the reply brief out of time, and was telephonically notified by paralegal Linda Allen that in order for the Board to consider the untimely filing, the Respondent must file the reply brief under the excusable neglect provision of the Board's Rules and Regulations. Accordingly, Respondent has now filed what it deems to be its excusable neglect motion in conjunction with the reply brief.

Section 102.2(d) of the Board's Rules and Regulations allows for parties to file documents within a reasonable time after the due date only upon good cause shown based on excusable neglect and when no undue prejudice would result. "A party seeking to file such documents beyond the time prescribed by these Rules must file, along with the document, a motion that states the grounds relied on for requesting permission to file untimely. The specific facts relied on to support the motion must be set forth in affidavit form and sworn to by individuals with personal knowledge of the facts." In order for the Board to consider the Respondent's untimely filed exceptions and brief, you must follow the prescribed method outlined in Section 102.2(d), which requires a sworn affidavit by individuals with personal knowledge of the facts. Please note that the Board will continue to process this case in the absence of the Respondent's reply brief.

Very truly yours,

/s/ Farah Z. Qureshi
Associate Executive Secretary

cc: Parties